

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

FREDDIE L. CHAMBERS, JR.,)	
#71917,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 2:06cv840-MHT
)	(WO)
SHERIFF D. T. MARSHALL, et al.,)	
)	
Defendants.)	

ORDER

There being no objections filed to the Recommendation of the Magistrate Judge filed herein on September 29, 2006 (doc. no. 3), said Recommendation is hereby adopted, and it is the ORDER, JUDGMENT and DECREE of the court that:

1. Plaintiff's claims against the Montgomery County Commission are DISMISSED with prejudice prior to service of process pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(i) and (iii).
2. The Montgomery County Commission is DISMISSED as a defendant to this cause of action.
3. This case with respect to plaintiff's claims against the remaining defendants is referred back to the Magistrate Judge for appropriate proceedings.

DONE, this the 17th day of October, 2006.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE